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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,372	12/23/2000	Thomas John Eggebraaten	ROC9-2000-0229-US1	2176
24038	7590	07/21/2004	EXAMINER	
MARTIN & ASSOCIATES, LLC			EL HADY, NABIL M	
P O BOX 548			ART UNIT	
CARTHAGE, MO 64836-0548			PAPER NUMBER	
			2154	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,372

Applicant(s)

EGGEBRAATEN ET AL.

Examiner

Nabil M El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-19 are pending in this application.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 13-16, and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following words or phrases are not clearly understood rendering corresponding claims vague:

a) "automatic approval", claim 5, lines 35-36; and claim 13, line 14, it is unclear what automatic means or is referring to, does it mean without manual processing, without further processing, or without any processing;

b) "indicating status", claim 5, line 40; and claim 13, line 17, it is unclear status for what, and what kind of status;

B. There is insufficient antecedent basis for the following limitations:

a) "the first information", claim 13, line 6;

b) "the first computer system", claim 18, line 5.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-4, 6-12, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al. (US 6,751,647), hereafter "Srinivasan" in view of

6. As to claim 1, Srinivasan discloses the invention substantially as claimed including a networked computer system comprising: (A) a first computer system (user computer, computer A, 60, Fig. 5) comprising: a first processor; a first memory coupled to the first processor; a first data structure residing in the first memory; a first application residing in the first memory (col. 4, lines 24-26, 28-30; col. 6, lines 1-3; col. 8, lines 25-29; and Fig. 5); a trigger mechanism residing in the first memory and executed by the first processor that detects a change to the first data structure and, in response, invokes the first application; a software tool residing in the memory that is invoked by the first application to retrieve information from the data structure (col. 5, lines 34-43) and to format the information into a defined format (logic for connecting, col. 4, line 65 to col. 5, line 1; and col. 5, lines 47-49); (B) a secure communication mechanism that provides encoded messages between the first computer system and a second computer system, the secure communication mechanism transmitting the formatted information from the first computer system to the second computer system (col. 8, lines 18-24; and 80 and computer B, Fig. 5); (C) the second computer system comprising: a second processor; a second memory coupled to the second processor; a second data structure residing in the memory; a second application residing in the second memory (col. 4, lines 26-30; col. 5, lines 2-5; col. 6, lines 1-3; and col. 8, lines 29-34), the second application receiving the formatted information from the secure communication mechanism; adding the second information to the second data structure (col. 8,

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lines 42-45); and generating a response to the first computer system via the secure communication mechanism (col. 8, lines 45-49).

7. Srinivasan discloses logic in the E-businesses component that includes the process of exchanging the data from computer A to computer B. Although such logic may comprise all the claimed limitations by the applicant, Srinivasan does not explicitly disclose specific limitations such as a trigger mechanism that detects a change to the first data; a parser parsing the formatted information and generating therefrom second information. Fitzsimons, on the other hand, discloses the concept of detecting a change in structured data in a database and triggering an action to get the changed data (col. 12, lines 51-55; and col. 13, lines 58-60), parsing the formatted information and generating therefrom second information (col. 2, lines 1-8; col. 12, lines 56-57); the parser adding the second information to the second data structure (col. 12, lines 59-67). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Srinivasan and Fitzsimons because Fitzsimons's triggering events controlling the data exchange process according to changes in data in the database would enhance the functionality of the data exchange system of Srinivasan resulting in a data exchange system that is activated only as needed.

8. As to claim 6, the claim is rejected for the same reasons as claim 1 above. In addition, Fitzsimons discloses acting upon the second information according to business logic residing in the second computer system (col. 15, lines 62-65).

9. As to claim 17, the claim is rejected for the same reasons as claims 1 and 6 above.

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10. As to claims 2 and 7, Fitzsimons, discloses the defined format comprises an XML document (col. 16, lines 43-46).

11. As to claim 3, Fitzsimons discloses the action taken depends on the second information and business logic for the second computer system (col. 15, lines 62-65).

12. As to claim 4, Srinivasan discloses a front-end application coupled to the first computer system that allows a user to cause a change in the first data structure (user application interface 14, Fig. 1).

13. As to claim 8, Fitzsimons discloses formatting the first information into an XML document that satisfies a mapping file that defines the structure and content of the XML document (col. 16, lines 43-46). Although using an XML Lightweight Extractor (XLE) to extract information from the data structure is not disclosed by Fitzsimons, it would have been obvious, however, to one skilled in the art at the time of the invention that XLE has the potential of easily extracting data out of a database and format the results in XML.

14. As to claim 9, Fitzsimons discloses the business logic (col. 15, lines 62-65) without specific criterion. It would have been obvious, however, to one skilled in the art at the time of the invention that a business logic is business dependent and reflects the need for specific business which may comprise any type of criterion including at least one criterion for automatically processing the formatted first information and at least one criterion for manually processing the formatted first information.

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15. As to claims 10-12, Fitzsimons discloses the first computer system generating feedback to a user that caused the change to the first data structure; sending a message to the user via the front-end application; and sending an e-mail message to the user (col. 13, lines 9-15).

16. Claims 5, 13, and 18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

17. Claims 14-16 and 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nine et al. (US 6,560,611); Frankel et al. (US 6,353,812); Formenti (US 6,487,469); Underwood et al. (US 5,873,066); Luchs et al. (US 4,831,526); Jarossay et al. (US 5,734,907); Lai et al. (US 5,596,745); Flores et al. (US 6,073,109); Hall et al. (US 5,675,785); Randle et al. (US 2003/0212904); and Nova et al. (US 2002/0181501).

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 9, 2004



Nabil El-Hady, Ph.D, M.B.A.
Primary Patent Examiner
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